

The Times-Dispatch.

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WEDNESDAY, MAY 10, 1903.

The Mayor's Veto the People's Hope.

By a vote of 11 to 8 the Board of Aldermen last night defeated the Lynch-Minor plan of expansion which was backed by the leading trade and civic organizations of the city, and concurred in the Mills plan previously adopted by the Council which was backed by a few individuals.

Mr. A. Belne Blair, who led the opposition to greater expansion, confessed that he was opposed to any extension of the city's lines at this time. He further declared that he accepted the Mills plan only as the lesser of two evils, yet when the final vote was taken he voted for the Mills plan notwithstanding that the Lynch-Minor plan had been defeated and there was no occasion for him to commit himself to either "evil." And this, too, after he had shown by his own argument, if he showed anything, that expansion under either plan would saddle upon us a burden of maintenance that threatened the city with financial disaster.

According to Mr. Blair's reasoning, if the Mills plan became effective, the city will have to bear this ruinous burden. Yet the territory to be annexed will afford no adequate relief to the congestion in the central and western portions of the city, and will supply no lands suitable for manufacturing sites. We are convinced that the ordinance of annexation as now adopted by both branches of the Council is worse than no annexation at all, and we earnestly hope that the Mayor will veto it and relegate the entire subject to the people.

The hereditary conservatism of Richmond will require some time for the awakening of all members of our community to the vital issues of the question, but that awakening will come and will demand an extension of our borders on a broad and brave line.

In that day the watchword will be the advancement of the public good—not the safeguarding of private interests.

Upholding the Law.

We cannot too heartily commend the zeal, efficiency and courage of the authorities of Henrico county and Richmond city—Judge Scott, Sheriff Solomon, Mayor McCarthy and Chief Werner—in protecting from mob violence a negro confined in the Henrico jail charged with a brutal crime. "I don't care whether you are guilty or not," said Sheriff Solomon to his prisoner, "the mob shall not take you; I promise you that." That must be the sentiment of every faithful and courageous officer of the law. It matters not who the criminal is, or what his crime is, when he becomes a prisoner and is in the custody of the State, it is the sworn duty of the officers in charge to see that he is protected from mob violence. If this negro is guilty of the crime with which he stands accused no punishment is too severe for him, but there is something else to be considered: The law is no respecter of persons and the law guarantees to every man, when accused of a crime, the right of a fair trial by a jury of his peers.

The Constitution of the United States says that "no State shall deprive any person of life, liberty or property without due process of law."

Section 8 of our own Bill of Rights provides that "no man shall be deprived of his life or liberty except by the law of the land or the judgment of his peers," and again "that in all criminal prosecutions a man hath a right to demand the cause and nature of his accusation, to be confronted with the accusers and witnesses, to all for evidence in his favor, and to speedily trial by an impartial jury of his vicinage, without whose unanimous consent he cannot be found guilty."

That is the law of the United States and the law of the State of Virginia, the organic law, and it applies to one person as much as to another. It is as much a violation of the Constitution of the United States and of the State of Virginia to lynch a negro as it is to lynch a white man, and whenever there is a lynching there is an outrageous violation of the fundamental law of the nation and of the State. Therefore, it is as much the duty of the officers of the law to protect one prisoner as another, and such protection must be given at whatever cost. If citizens in contempt of law undertake to break into the jail and drag a prisoner out and hang him without law they are insurrectionists and they must be resisted with all the force of government.

Such a course on the part of the officers

is necessary in the interest of law and order and in the interest of society itself. If the law is a respecter of persons, if it fails to protect one man and allow the mob to trample the law under foot, what guarantee has any man that he will be protected? There can be no half-way measure, no compromise with the mob, either the State or the mob must rule. There cannot be two masters.

Nor is there any occasion whatsoever for mob violence in the State of Virginia. It has been abundantly proven of late that the people of Virginia are not afraid to execute the law. Two white men, one of them a man of high political and social position, have recently been hung for murder, and it is perfectly well established, and every citizen knows it, that if this negro confined in the Henrico jail shall be fairly convicted he will be hung without fail.

Every good citizen who read the report in The Times-Dispatch yesterday morning of the action taken by the county and city authorities to uphold the law had a sense of proud satisfaction and felt assured that he was living in a law-abiding community, where the law is supreme and where the officers of the law have the courage and the righteousness to uphold it.

Another point in conclusion. It was demonstrated that when the officers of the law take proper precaution and prepare for the rush, the mob is apt to take to the woods.

The Society of the Cincinnati.

In June, 1783, officers of the Revolutionary army met on the banks of the Hudson River, in the State of New York, and organized the Society of the Cincinnati. The object of this society was "to perpetuate the friendships formed during the contest recently ended; to keep alive the patriotism of its members, and to provide for the needy among their number." The distinction having been made hereditary, the society was bitterly attacked by some as being opposed to republican equality, and even Benjamin Franklin thought that he saw in it the germ of a future aristocracy.

So bitter was the opposition that in several cities charters were refused to the branch societies and some of the societies were finally dissolved. But the fears of the opposition were groundless. They reckoned not with the spirit of true democracy, which was almost as the religion of the American people. The members of the Society of the Cincinnati had worked together and fought together in a patriotic cause, and were bound together by the ties of sacred association and sacrifice in a sort of spiritual democracy. Such an organization was necessarily conservative and preservative of the democratic spirit, and there could be no taint of aristocracy. Its founders fought for independence, for manhood, for self-government, for individual liberty, for equal rights to every man. They fought for the establishment and perpetuation of democracy in its full and glorious significance. It is true that they proposed to pass along the honors from father to son, but in the very nature of the case that which they handed down was democracy, and to-day the Society of the Cincinnati is representative of true Americanism.

It is an honor and a pleasure for Richmond to entertain this week the distinguished representatives of this "ancient and honorable" organization, and they are very welcome to the hospitalities of this "ancient and honorable" city.

Dealing in "Futures."

It is significant of the common sense of this practical age that the Supreme Court of the United States has decided that it is lawful to deal in "futures." The case decided was that of the Board of Trade of Chicago vs. a Kansas City concern involving the question as to the right of private concerns to use the continuous quotations of the Board. In summing up the case Justice Holmes said that people would endeavor to forecast the future and to make agreements according to their prophecy. "Speculation of this kind by competent men," he proceeded, "is the self-adjustment of society to the problem. Its value is well known as a means of avoiding or mitigating catastrophes, equalizing prices and providing for periods of want."

This mode of business is not new. Joseph, of Egypt, dealt in futures when in anticipation of famine, he gathered up the grain and put it away for "future delivery." In modern economy it is necessary for millers, speculators and manufacturers generally to deal in "futures." They must buy their raw material in advance, and in order to protect themselves against fluctuations they must sell "short." That sort of trading is perfectly legitimate and, as Judge Holmes says, is the well known means of avoiding or mitigating catastrophes, equalizing prices and providing for periods of want. The system must not be outlawed because some men use it for gambling purposes, any more than that we should abolish horses because some men bet on the races.

A Confession.

It would not be proper to permit to pass unchallenged and undisputed the editorial position taken by The Times-Dispatch this morning, touching the respective rights of United States courts and the States of the Union. We are not willing that this position should go out as representing the beliefs and principles of the people of Richmond or of the Democrats of Virginia.

Judge T. G. Jones, of the United States Circuit Court for the Northern District of Alabama, asserted jurisdiction for his court over certain citizens arrested for lynching a negro in Madison county, Ala. The indictment in the United States court was brought for conspiracy to violently and maliciously deprive the man lynched of rights, privileges and immunities granted to him by the Constitution of the United States. An appeal has been taken to the United States Supreme Court and The Times-Dispatch expresses the hope "that the ruling of the lower court will be sustained." If it is sustained, the deadly blow will be struck at the whole principle of State rights and sovereignty and against all the essential doctrines and declarations of the Democratic party since its birth.—The News Leader.

We make a confession. The article in The Times-Dispatch was dictated to a stenographer in the early morning, and the notes were transcribed later in the day. In the meantime the writer had made further investigation and saw the

case in a new light. The latter part of the article was then rewritten and the writer was sure until now that he had erased the expression "we hope that the ruling of the lower court will be sustained."

We had intended simply to emphasize the fact that the Fourteenth Amendment created the "citizen of the United States" and clothed him with certain rights, one of which is that "no State shall deprive him of life, liberty or property without due process of law." The Federal government is bound under the Constitution to protect him in that right. That is all we intended to say.

Dr. Osler's attention is called to the statement printed in yesterday's paper that Mr. Washington Duke, the North Carolina millionaire, did not begin the work which made him rich until he had passed his fiftieth year. Dr. Osler may say that this is the exception which proves the rule. But there is encouragement in this, that men have done their best work after they have passed the age of fifty, and what man has done may do again. You cannot make a rule of this character for all mankind. After all, it depends upon the man. And there is this to be considered, that men who are active and energetic and successful before they are fifty are apt to be useful after that time, provided they preserve their health. Indeed, such a man is often more useful in his maturity than he was in his youth, for he has the experience and the sober judgment.

Ladies and gentlemen who attended the concert at the Woman's Club on Monday night were proud of their city. They were proud to know that "home talent" could give such an entertainment, and well they might be. It was a high tribute to the culture of Richmond. Our congratulations to Mrs. Hoen, the members of the club and the artists.

Connecticut is trying to borrow a good clause from our new Constitution. It is proposed in that State to submit to the people a constitutional amendment forbidding the election of members of the Legislature to offices filled by that body. The proposition is said to be very distasteful to a large number of the members of the Legislature, and the probability is that they will defeat it unless the people get right straight after them.

The Hartford Times sums up the situation to date at the seat of the Equitable war as follows: "President Alexander insists on sticking to his job, and Vice-President Hyde won't budge. Meanwhile, the verbose open-lettering goes on, the lawyers slyly wink to one another, and the policyholders mop the perspiration from their brows and vocabulary."

A Chicago brick trust has just been denounced in court. It is said that trust has pushed prices so high that the striking teamsters find it impossible to buy the bricks so indispensable to the success of the strike.

The championship belt which heavy-weight James Jeffries says he now turns over to Mr. Fitzsimmons will require several tucks before it will stay there on Lanky Bob's slim waist-line.

The naval experts, weary of forecasting the battle which refuses to come off, have turned their attention to figuring the number of times Rojevsky has violated French neutrality.

Captain Richmond Pearson Hobson is a man of ideas. He now says the war in the Far East knocked the value off cotton and that the big crop had nothing to do with the slump.

Some men who are experts are of the opinion that if Togo had not been afraid of Russia's big ships he would never have let Rojevsky and Nebergatoff get together.

With Bowen at home, Castro's telegraph and cable bill will be immense, for these two fast friends must keep in constant touch in some way.

President Baer, in making a vigorous demand for "a new lot of Americans," fails to intimate what he proposes to do with the old lot. Maybe he has not consulted them yet.

A young gentleman named George Rogers has just stolen a 110-pound clock from the Fifth Avenue Hotel. As a thief of time, George has procrastination beat off the block.

A New York lady dropped \$8.50 in a solid lump somewhere on Broadway a day or two ago. Style of game not mentioned.

The President of the United Colonies of Colorado Bears has issued a thanksgiving proclamation.

That sleepy, want-to-go-fishing feeling is in the very air we now breathe.

Things seem to be getting no better very fast in Chicago.

"COUNTY CHARITY."

A Defense of the Board of Supervisors of Elizabeth City County.

Editor of The Times-Dispatch: Sir—The article appearing in the Richmond Times-Dispatch of the 6th inst., and copied in the Newport News Daily Press of the 6th inst., entitled "County Charity," was written under misapprehension of the facts, and the following statement is made in justice to the officers of this county, to whom the bill, which is the subject of this article, was presented for payment. The groceries were furnished by W. W. Richardson, of Hampton, Va., who was quarantined on account of an infectious or contagious disease. At the time these goods were furnished, Dr. W. A. Dickson was health officer of this county, and the goods were not furnished on his order. This

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QUERIES AND ANSWERS

Editor of The Times-Dispatch: Sir—Is the significance of the word "Wessex"?

Wessex, West Saxons. D. S.

Editor of The Times-Dispatch: Sir—Why was the saddle on General Lee's horse put on backwards in the funeral procession?

A SUBSCRIBER. It is an old custom in the army, the origin of which we do not know. It has much the same significance as reversed arms.

Editor of The Times-Dispatch: Sir—How is the health of C. R. Fishburn since he has been on the farm?

A SUBSCRIBER. The surgeon on the State farm reports that Fishburn's condition remains about the same as when he was received at the penitentiary.

Editor of The Times-Dispatch: Sir—Please let me know if, when bounding a State, the bodies of water next to that State should be mentioned, or whether the State beyond the body of water should be mentioned. For instance, in New Hampshire bounded on the west by the Connecticut River or the State of Vermont.

Both the State and the river should be named. IGNORAMUS.

Editor of The Times-Dispatch: Sir—Please let me know how long it has been since last year and when the locusts will come again.

A SUBSCRIBER. Our recollection is that there was a fall migration of locusts in this section either in 1904 or '05. We do not recall whether or not they appeared seven years later. Who knows?

Editor of The Times-Dispatch: Sir—Please say whether or not General U. S. Grant owned slaves during the Civil War, and oblige.

A SUBSCRIBER. General Grant had slaves, but they came into the family through Mrs. Grant, who held them as a part of her inheritance when she was married.

Editor of The Times-Dispatch: Sir—Will you please inform me through your query column the month and the year the Confederate warehouses were in operation? Were they guarded by the department clerks in the local defence from incendiaries?

G. W. V. We cannot say yes or no. Probably an ex-Clark, if still alive, may be able to answer positively. A department order of October 15, 1864, called into service all detailed men. The clerks formed a battalion, but no one whom we have interviewed remembers seeing them on guard at the tobacco warehouses. A gentleman well acquainted with them remarked that it was more likely they were to be found of nights on guard at "Worshams."

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